

APPROVED: Meeting No. 44-80

ATTEST: *William E. Hanna, Jr.*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 42-80

November 17, 1980

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on November 17, 1980, at 8:00 p.m.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams
(arrived at 8:10 p.m.)

Councilwoman Phyllis Fordham

Councilman John Freeland

Councilman John Tyner

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen M. Heneghan; City Attorney Roger Titus; Assistant City Manager Daniel Hobbs; Chief of Police Jared Stout; Director of Planning James M. Davis; Information Officer Sue M. Patterson; Director of Finance John Lawton.

Re: City Manager's Report

Mr. Blick reported the following:

1. The B&O Railroad will be opening its new commuter rail office on December 1. The main B&O station is tentatively scheduled to be moved December 10. It will be publicized when plans are completed.
2. The meeting that was scheduled for Wednesday evening with College Gardens residents has been postponed until January 14. The meetings are being held to discuss the landscaping of Gude Drive and now an engineering study must be completed before further decisions can be made.
3. At 9 p.m. last evening a fire broke out in a stairwell at Wire Hardware. There was smoke and water damage and broken glass and also a hole in the roof. Most of the damage is due to a loss of inventory.

Re: Appointments

Mayor Hanna with the confirmation of the Council made the following appointments:

Planning Commission: Lewis Dale
(5 year term) 2 Hawthorn Court
Rockville, Maryland

Alternative Community Service Commission:
(1 year term)

Member: Rita Amy Morris (from Alternate)

Alternate: Leroy Davis	Robert Burke	Robert H. Puckett
1117 Clagett Drive	1210 Thornden Road	11 Guy Court

Traffic and Transportation: David Levinsohn
(2 year term) 625 Northcliffe Drive

Re: Award of Contract: Purchase
of fuel oil

It is estimated that the Water Treatment Plant will use 12,000 gallons of No. 2 fuel oil this winter season.

The Montgomery County Public Schools obtained competitive bids for this commodity with award being made to Colonial Fuel Company, a subsidiary of Steuart Petroleum. With the fluctuating conditions in the oil market, no firm price offers were received. The bidders, instead, offered a posted price which was considered as their base price offer. MCPS is notified by letter of any increases in this posted price. Colonial's bid was based on Steuart Petroleum's posted price as of 5/15/80.

Posted Price Per Gallon	.9150
Discounted from Posted Price	<u>.0434</u>
	.8716
3% prompt payment discount	<u>.0261</u>
	.8455

As of 10/30/80, the posted price has increased to .95¢

Staff requests approval to purchase No. 2 Fuel Oil against this MCPS bid for deliveries to the Water Treatment Plant and approximately 2,000 gallons to be delivered to Youth Services and the Civic Center Cottage.

On motion of Councilman Freeland, duly seconded and unanimously passed, the staff was authorized to purchase the fuel oil.

Re: Decision: Grant from Department
of Energy to conduct an energy
audit of water treatment plant

The City has been awarded a grant by the U.S. Department of Energy of \$774 for a professional energy audit of the water treatment plant. This award is made under the Technical Assistance portion of the Schools, Hospitals, Local Government and Public Care Institution Grants Program.

The City application for this grant requested \$2,000 to be matched by City funds. The Department of Energy, however, applying a uniform formula of 12¢ per square foot for technical assistance audits determined their share of the cost to be just \$774.

In discussions with local audit firms plus our experience with energy audits of other City facilities, it is clear an audit of the water plant would cost \$3,000 to \$4,000. The additional paperwork required under the federal audit program increases the audit cost without any benefit to the City.

Therefore, staff recommends that the City not accept the grant from DOE because accepting it would require a much greater City expense for an audit than is justified as well as administrative paperwork. The energy staff will proceed to develop specific cost/saving estimates based on its own audit findings and recommend specific actions to be taken.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, the grant was rejected by the Mayor and Council due to the small amount in proportion to the cost of the program.

Re: Decision on recommendations on
the issuance of mini-bonds

Small investors are excluded from most high yielding investments. One investment from which they have been excluded is municipal bonds, because of the typical \$5,000 denomination of the bond. A few municipalities have tried to broaden the municipal bond market by selling bonds in small denominations, such as \$100, \$200, or \$300.

Small denomination or mini-bonds offer an opportunity to increase community involvement. The residents who live in the City and pay the taxes are able to invest in their own community. An analogy might be the concept of owning a "piece of the rock".

There are four primary alternatives presented to the Mayor and Council:

1. To proceed with a pre-sale and sale of mini-bonds as soon as possible;
2. To drop the idea of mini-bonds and not consider it further;
3. To investigate further the idea of selling mini-bonds, particularly to try to establish the extent of the market potential. This might require some minimal professional market analysis assistance which could cost between \$1,000 and \$2,000.
4. To sell mini-bonds as part of the next major bond issue to minimize cost. Alternative 3 above could be combined with this alternative.

The staff does not have a recommendation as to whether mini-bonds should be sold or not since this is a policy decision with the advantages to the City being non-financial. If the Mayor and Council wish to issue mini-bonds, then staff recommends that further analysis of the market potential be included in whatever course of action is taken.

Councilman Freeland moved, that the Council approve alternative 3. Councilwoman Fordham seconded the motion for discussion but said she opposed buying a service as suggested. She said that the best procedure is to issue the bonds and that will provide its own market analysis. She also suggested that they be in large denominations for a minimum, no small amounts. Councilman Freeland said he has favored the program since he heard it suggested at the Maryland Municipal League. He said alternative 3 seems to be the best alternative and the market study cost is quite a small investment for a professional opinion. Mayor Hanna agreed that the idea is a good one but the advantages are non-financial. They just provide community involvement. He suggested there is no need for further investigation. The program seems to be workable and on the right project the bonds would sell. He suggested the Council this evening just approve the concept. Councilwoman Fordham agreed. She said it could be an investment asset for people but she asked that no money be spent for a study. Mayor Hanna agreed that no more would be done than the City does at an ordinary bond sale. Councilman Freeland withdrew his previous motion as did the seconder.

On motion of Councilman Freeland, duly seconded and unanimously passed, the Mayor and Council agreed to accept and approve the idea of mini-bonds and, when an appropriate project is identified, to proceed with an issue.

Re: Decision and instructions to
staff re Text Amendment Applica-
tion, T-39-80

The subject Text Amendment Application will amend sections of the Sign Regulations so as to allow a free-standing identification sign in the C-1, Local Commercial Zone.

At present, an automobile filling station in a C-1 shopping center may have a free-standing identification sign, however, no others are allowed. The subject amendment will delete the provision for such a sign. There are no filling stations in the C-1 Zone and none are anticipated, therefore, the deletion of a sign has no effect.

Replacing the filling station sign will be a provision for a free-standing sign to identify the C-1 shopping center. Such a sign will be limited in size to fifty (50) square feet and five (5) feet in total height, and would contain only the name of the shopping center or neighborhood where it is located.

On motion of Councilman Tyner, duly seconded and unanimously passed, the staff was authorized to proceed with preparing the necessary supporting documentation. The staff had prepared the ordinance.

On motion of Councilwoman Fordham, there was introduced upon the table an ordinance granting text amendment application, T-39-80, said ordinance to lay over at least one week before final action is taken.

Re: Adoption of Ordinance to repeal and re-enact, with amendments, Section 2-301(b) of Chapter 9 of the Laws of Rockville, entitled "Fire Code", to provide that turnaround requirements shall apply to any dead-end road

Ordinance No. 33-80

On motion of Councilman Freeland, duly seconded and unanimously passed, Ordinance No. 33-80, the full text of which can be found in Ordinance Book Book No. 10, amending the Fire Code, to provide that turnaround requirements shall apply to any dead-end road, was adopted by the Mayor and Council.

Re: Citizen's Fourm

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Robert Jacques. Mr. Jacques told the Council that Montgomery County will hold a hearing on November 25, on a tax delinquency case involving the Rockville Mall. He said these hearings are most informative and citizens might wish to attend. Mr. Jacques said the legislative session will be coming up soon and it is necessary for the City to be prepared to provide information to the delegation for redistricting. Mayor Hanna said this will indeed be done when the census figures are available.

2. Frances Manderscheid. Mrs. Manderscheid said this evening she is speaking for Delegate Forehand and read a letter from Del. Forehand. Mrs. Forehand urged that the Council not only continue to support Rockville's current sign ordinance and increase its enforcement, but also work to enhance it. She said a strong sign ordinance is an integral part of the ground work for the new Town Center.

3. Mary Kielkopf, a member of the Civic Improvement Advisory Commission. Mrs. Kielkopf testified to the Council concerning the sign report. She suggested that violations of the sign report be made municipal infractions and urged a very strong sign ordinance and asked that the community be allowed to respond to enforcement of the current ordinance before new regulations are put forth.

4. Glenn Looper, 106 Wall Street, Economic Development Committee of the Rockville Chamber of Commerce. Mr. Looper, speaking for the Chamber, said that his committee takes issue that the new sign report indicates that signs are for identification, whereas the business community incorporates identification with advertising. All in all the Chamber favors the report but questions the ability of the City to enforce the suggestions since an extensive educational effort would be needed.

5. Carlos Caban, Chairman of the Rockville Planning Commission. Mr. Caban testified to the Mayor and Council on the sign report, and urged the Mayor and Council to call to the Commission's attention any improvements identified as needed and to permit the Commission time to complete its analysis of the report. It is the Commission's hope that the recommendations can be completed and submitted by January 15, 1981.

6. Steve Fisher. Mr. Fisher invited councilmembers Fordham and Abrams to attend the Civic Federation meeting on November 20.

Mr. Fisher noted that he had received a parking ticket two weeks ago in the City Hall parking lot and because the ticket was illegible he took up the matter with the Chief of Police who cited the law of Chapter 11-1.02, Traffic Violations. Mr. Fisher said the law is not clear and should be corrected and he felt it should be brought to the Council's attention. Mr. Fisher also noted the lack of proper signing in the City Hall parking lot. Mayor Hanna asked that the City Attorney look into both matters as suggested by Mr. Fisher.

Mr. Fisher said he had recently brought some people on a tour of the City and noted some albums in the Pinneburg Room that are in need of repair. At the same time there were book bindings that need work at the Beall Dawson House. Mayor Hanna noted that the Historical Society is in charge of the Beall Dawson House but definitely, the attention of the Civic Center Supervisor will be brought to the need for repair of the albums. The Council suggested that the Alternative Community Service Commission might take this on as a project.

There being no other citizen wishing to be heard, the Mayor closed the Citizen's Forum portion of the meeting.

Re: Decision on recommendations for
Rockville Identification Project

The Mayor and Council again looked at the final selections for the Rockville Identification Project and chose one to be the City's logo. Mr. Crozier of Graham Associates will return in a week or two to the Council so that colors can be selected.

Re: Work Session: Sign report prepared
by the Planning Department

The Mayor and Council conducted a work session on the Sign Report prepared by the City's Planning Department and viewed a slide presentation by Mr. Owens, Chief Planner, on the different types of signs in Rockville and in other jurisdictions. A good deal of discussion was dedicated to violations and the lack of enforcement of violations with the Mayor suggesting a very strong posture be adopted by the City, even to the staff's removing the signs after repeated violations. It was Councilwoman Fordham's contention that in many instances members of the business community do not know the signs are illegal. She suggested to approach it as more enforcement by the staff and work be done on something by the Planning Commission to allow for self-enforcement. She also suggested that colors might be allotted to certain shopping centers for uniformity. Councilman Freeland agreed. Councilman Abrams noted that

neighborhood or community identification signs were not addressed at all. He asked about the variance procedure under the zoning ordinance and asked that this might be incorporated. Mayor Hanna suggested that the staff look into a set of standard signs - one for commercial, one for industrial and one for office. There would be no individual signs. Councilman Tyner suggested that standardizing a sign destroys creativity. The demensions should be given and a uniqueness allowed within those dimensions. Mayor Hanna disagreed and said that is what the City has now and it does not seem to work. He suggested that the one sign be designed and adopted by a committee, possibly composed of members of the Economic Council, the Civic Improvement Advisory Commission, and a member of the Mayor and Council. He agreed with Councilman Freeland that whatever is designed should definitely have numbers on it since this is so important. The City Manager said the staff will pull together signs from neighboring jurisdictions that have tight controls and that seem to be working. The chairman of the Planning Commission thought this would be a good process and said the Commission will be back in January with a report. The Council noted that it might be possible to offer some financial benefits for citizens for compliance. Councilman Abrams said he could not agree to that at this time. The Mayor and Council thanked the staff for their work.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. J.S. Kline, Esq., re withdrawal of M-13-78
2. 33 more letters concerning Yale Drive Master Plan amendment
3. Mr. & Mrs. Bernard Gaunt, re bus service
Progressive Citizens Association, re bus service
4. A. Tuchten, re thank you
5. DOT, re "Rockville" on I-270 signs

Mayor Hanna asked that the staff go to the next highest level and repeat the request.

6. E. Tabor, D.D.S., re Rockshire PRU

Re: Information Items

1. Copy of Traffic & Transportation recommendations (10/31/80)
2. Notes on Rental Housing Forum
3. Response to citizen complaint

4. Memo re signals at I-270
5. Status of projects in City Manager's Office
6. Energy Work Plan for FY '81
7. Water Plant Pumping Design Modification Chronology
8. Memo re: Information on Alternates to Base Bid for City Hall Additions

Re: New Business

1. Mayor Hanna extended to the Council an invitation that had been given to him from a member of the National Rifle Association to see an approved shooting range and its operation. He asked the Council to contact the City Clerk if interested.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:40 p.m. to convene again in executive session on Monday, November 24, 1980, at 7:00 p.m. and general session at 8:00 p.m., or at the call of the Mayor.